

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

M.A. & U.D. Department – Nellore Municipal Corporation – Exchange of Municipal site containing 3 pieces of land totaling Ac.1.765 cents in L.P.No.70/91, L.P.No.66/82 and L.P.No.55/95 equivalent value of the site measuring an extent of 35.22 cents acquired from the land owners situated in CAS.No.214 of Venkataramapuram,, Nellore, for the purpose of laying of approach road to the Box type under bridge, near Vijaya Mahal Gate, Nellore – Permission accorded - Orders Issued.

MUNICIPAL ADMN & URBAN DEVELOPMENT (W1) DEPARTMENT

G.O.Rt.No. 823

DATED: 29.06.2011
Read the following:

- 1.From the Commissioner, erstwhile Nellore Municipality, Letter Roc.No.G1/14151/96, Dated: 21.07.1996.
- 2.From the Commissioner & Director of Municipal Administration, Hyderabad, Letter, No.32029/96/ G3, Dated 04.10.1997.
- 3.From the High Court of A.P., Orders Dt.25.10.2002 in W.P.No.35515/1997.
- 4.Govt.Memo.No.4960/W1/2010-5, MA & UD (W1) Department, Dated: 24.12.2010.
- 5.From the Commissioner, Municipal Corporation, Nellore, Letter Roc.No.14151/86/G1, Dated: 12.01.2011.
- 6.From the Commissioner & Director of Municipal Administration, Hyderabad, Letter No.7856/2010/ H2, Dated : 13.01.2011.
- 7.From Sri K.Syam Sundar Reddy, R/o Nellore, and Sri K.Muralidhar Reddy, R/o Hyderabad, Representation, Dated: 30.05.2011.
- 8.From the Hon'ble High Court of A.P., Orders Dt.10.06.2011 in WPMP.No.18854 of 2011 in W.P.No.15743 of 2011.
- 9.From the Commissioner, Municipal Corporation, Nellore Letter Roc.No.14151/86/G1, Dated: 25.06.2011.
- 10.From the Commissioner & Director of Municipal Administration, Hyderabad, Letter No.7856/2010/H2, Dated : 28.06.2011.

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ORDER:

In the reference 1st read above, the Commissioner, erstwhile Nellore Municipality, has requested the Government to accord permission to exchange the Municipal site in LP.No.66/82, Balajinagar measuring an extent of Acres 1.06 cents for the petitioners' sites taken possession of by the Municipality, Nellore for formation of the approach road to the Box-type Railway under Bridge in Nellore. In the reference 2nd read above, the Commissioner and Director of Municipal Administration has also requested the Government to accord permission as above.

2. In G.O.Rt.No.802, MA & UD (J) Dept., Dt. 08.10.1997, orders have been issued according permission to the Municipal Council, Nellore to exchange Municipal site in layout No.66/82 amounting to a value equal to that of the land taken possession of by the Nellore Municipality for formation of approach road to the Box-type Railway under Bridge.

3. In the reference 3rd read above, the Hon'ble High Court has set aside the orders of the Government issued in G.O.Rt.No.802, MA & UD Dept., Dated: 08.10.1997 and directed the Government to reconsider and if the Government is of the opinion that the Resolution and the proposals sent by the Municipal Council, Nellore requires modification, the same may be sent back to the Municipal Council

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with the suggestions or directions of the Government which could be considered afresh after giving notice and opportunity to the owners of the land which was already taken possession from the petitioner and other owners of the land.

4. In the reference 4th read above, the Commissioner & Director of Municipal Administration, Hyderabad / the Commissioner, Municipal Corporation, Nellore, has been requested to take necessary action for placing the matter afresh before the Council duly giving notice to the land owner on the ground that the Government consider to allot alternate site which is equivalent value of the site acquired from the owners for construction of approach road to Box Type under Bridge as against earlier Council Resolution No.1219 Dt.28.6.1996 which is recommended for three pieces of land. i.e., in LP No. 70/91 to an extent of Ac.0.40 cents, LP.NO 66/82 of Ac.1.06 cents and LP.55/95 of Ac.0.305 cents i.e., is totaling Ac. 1.765 Cents, and send the proposals afresh to the Government through the Commissioner and Director of Municipal Administration, Hyderabad for taking necessary action in the matter.

5. In the reference 6th read above, the Commissioner & Director of Municipal Administration, while forwarding the proposal of Commissioner, Nellore Municipal Corporation, have stated that, in compliance to the instructions issued by the Government in Memo. Dated: 24.12.2010, a notice to the land owners viz., Sri K.Syam Sundar Reddy and Sri K.Muralidhar Reddy have been issued on 31.12.2010 informing them that the Government have considered to allot alternate site which is of equivalent value of the site acquired from the owners for construction of approach road to Box type under bridge as against earlier Council Resolution No.1219, Dated : 28.06.1996 which was recommended for 3 pieces of land i.e. in L.P.No.70/91 to an extent of Ac.040 cents, L.P.No.66/82 of Ac.1.06 cents and L.P.No.55/95 of Ac.0.305 cents totaling Ac.1.765 cents. In response to the said notice, the said land owners have submitted their willingness vide their Application, Dated:10.01.2011 to receive the said 3 pieces of land in exchange to their land and has requested to pass orders in the matter at the earliest. He has further stated that the Commissioner, Municipal Corporation, Nellore, has reported that the matter has been placed before the Municipal Council and the Council in its Resolution, Dated:12.01.2011 has resolved for exchange of the sites and submitted proposals to Government. The Commissioner & Director of Municipal Administration has, therefore, requested the Government to issue necessary orders in the matter.

6. In the reference 7th read above, Sri K.Syam Sunder Reddy, R/o Venkataramapuram, Nellore and Sri K.Muralidhar Reddy, R/o Hyderabad have submitted that, in view of the orders passed by the Hon'ble High Court appropriate orders may be passed by issuing G.O as per the Order of the Hon'ble Minister for Municipal Administration & Urban Development Department, Dated: 22.12.2010 by finalizing the matter duly recalling the Memo.No.4960/W1/2010-5, Dt.22.03.2011, as even after completion of 17 years in handing over of the land, they could not get the compensation till date.

7. In the reference 8th read above, the Hon'ble High Court has passed interim orders directing the Government to consider the Representation Dt. 30.05.2011 of the Petitioners and appropriate orders be passed in accordance with law.

8. Government, after careful examination of the entire matter, have decided to confirm the Revised Council Resolution No.88, Dated 12.01.2011, to allot alternate site which is of equivalent value of the site acquired from the owners for construction of approach road to Box type under bridge in Nellore i.e., 3 pieces of land in L.P.No.70/91 to an extent of Ac.040 cents, L.P.No.66/82 of Ac.1.06 cents and L.P.No.55/95 of Ac.0.305 cents totaling Ac.1.765 cents.

9. Accordingly, the Revised Council Resolution No.88, Dated 12.01.2011, to allot alternate site which is of equivalent value of the site acquired from the owners for construction of approach road to Box type under bridge in Nellore i.e., 3 pieces

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of land in L.P.No.70/91 to an extent of Ac.040 cents, L.P.No.66/82 of Ac.1.06 cents and L.P.No.55/95 of Ac.0.305 cents totaling Ac.1.765 cents, is hereby confirmed. The apportionment among different claimants shall be decided by the Nellore Municipal Corporation, as per law in force, since the Corporation is competent to do so.

10. The Commissioner & Director of Municipal Administration, Hyderabad / Commissioner, Municipal Corporation, Nellore, shall take necessary further action, accordingly.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

**Dr. VIJAY KUMAR
SECRETARY TO GOVERNMENT**

To

The Commissioner & Director of Municipal Administration, Hyderabad.

The Commissioner, Municipal Corporation, Nellore.

Copy to:

The Director of Town & Country Planning, for information and necessary action.

The Collector, Potti Sriramulu Nellore District, for information and necessary action.

The Government Pleader for MA & UD, High Court of A.P., Hyderabad.

The O.S.D. to Minister (MA&UD).

SF/SC

//FORWARDED :: BY ORDER//

SECTION OFFICER